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# Health and Social Care Pension Scheme Privacy Notice

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The Business Services Organisation (BSO) is committed to protecting your privacy when you use our services. Health & Social Care Pension Service (HSCPS) sits within the Operations Directorate of the BSO. The purpose of this Privacy Notice is to explain why and how HSCPS collects and uses your personal information, your rights regarding this information and how HSCPS complies with data protection law.

## What information we need

HSCPS is the data controller of the personal data you provide to us. The information we need to collect includes:

- personal details including name, address, date of birth, national insurance number, telephone number and email address
- financial details including bank details
- employment and service details including alternative working patterns
- dependent and death benefit nominee details
- previous pension benefits

We also process sensitive classes of information that include:

- physical or mental health details relating to ill health/injury awards
- marital status
- gender

Your death benefit nominee details:

These are required in the event of your death so that we can pay any death benefits due. We receive this information from you:

- *Nominee name(s);*
- *Nominee address(es).*
- *Nominee's relationship to you.*

### **Information required to pay/administer benefits**

HSCPS may pay benefits to you, your spouse, your dependants and your nominees over the period of your membership of the scheme. In some instances we may require official documentation to verify your personal circumstances or the identity of others in order to pay those benefits. This information will be provided by either yourself or others and includes:

- *Identification documents;*
- *Legal certificates (for example birth certificates, marriage/civil partnership certificates, death certificates, decree absolute);*
- *Pension sharing orders;*
- *Information relating to your entitlement to benefits (on grounds of loss to the employer/scheme, or arising from criminal, negligent or fraudulent activity).*

### **Information relating to your satisfaction with the service provided**

HSCPS operates a continuous improvement approach and as such may request feedback from you, either by the phone or written/electronic. We also progress any complaints you may have in order that we can make improvements to our service. We receive this information from you.

## **Why we process personal information**

We collect and process personal information in order to meet our legal obligations and public functions under the Public Services Pensions Act (Northern Ireland) 2014 and the Superannuation (Northern Ireland) Order 1972.

### **We use your personal information to:**

- *Administer your HSC pension;*
- *Pay any benefits due to you;*
- *Communicate and interact with you. This can be by phone, email or post;*
- *Provide services and information you request from us;*
- *Inform you about changes to the schemes;*

- *Improve our service offering, including through collection and responding to feedback.*

As pensions are long term, the reason for processing your personal information is likely to change over time as your circumstances change, for example:

- *If you are an active member, in employment and contributing to a pension scheme, then we need to collect details such as your salary and amount of time worked in order to calculate the level of pension you will receive in the future;*
- *If you are a deferred member, meaning you were an active employee but have left the scheme but have not retired and taken any benefits from the scheme, then we need to hold your personal details collected during employment, so we can pay your deferred benefits at a later date;*
- *If you are a pensioner member, you are being paid benefits from the scheme, then we need to hold your personal details in order to pay you your benefits.*

### **Use of your personal information based on consent**

The lawful basis for processing your personal information is that we have a legal obligation to do so under legislation. Therefore, we do not require your consent in order to process your personal information.

There is an exception to this, which is, if you apply for deferred into payment ill health or make an application under The Health and Personal Social Services Injury Benefit Scheme (Northern Ireland), health details are classed as a “special category” of personal information under legislation and you will be asked for your consent to sharing the information with the relevant parties, for example the Scheme Medical Advisor.

### **Use of your personal information for legal or public interest reasons**

There may be cases where due to legal reasons or public interest, the Health and Social Care Pension Scheme arrangements require us to use your personal information, for example, to defend its legal rights, prevent and detect crimes such as fraudulent activities, for data matching under the National Fraud Initiative and for purposes of litigation and legal advice.

For more information on the National Fraud Initiative go to:

<https://www.gov.uk/government/collections/national-fraud-initiative>

We will only collect and hold the minimum amount of personal data necessary in order to provide and manage our services.

We may also collect information when you voluntarily complete surveys or participate in consultations.

## **CCTV**

We use CCTV on our buildings to maintain the security of property, premises and staff, and for the prevention and investigation of crime. For these reasons the information processed may include visual images, personal appearance and behaviours.

### **How we obtain personal data**

We obtain personal information directly from you, and from other sources, such as other government departments and bodies including HMRC, Payroll Shared Services and employers.

We can also obtain your personal data from publicly accessible sources.

## **How we use your personal information**

### **Receiving information about you from your employer**

When your employer enrolled you into the HSC Pension Scheme your personal information was sent to us to set you up as a scheme member.

If you are an active member, your employer continues to send us your personal information (usually monthly), including for example salary and amount of time worked. This is so we are able to maintain your pension record, send you an Annual Benefit Statement and be in a position to calculate your benefits when they become payable, or if you wish to leave the scheme.

Your employer keeps us informed of any changes to address or marital status therefore it is important that you keep your employer updated of any changes to your personal circumstances.

In some instances we may receive additional personal information, about your health, for example if you are applying for benefits from the Health and Personal Social Services Injury Benefits Scheme (Northern Ireland). This is so we can assess your eligibility for benefits from that scheme.

### **Receiving information from you**

You may provide us with your personal information, for example you will need to inform us of your Death Benefit Nominee(s).

When you are an active member your employer keeps us informed of any changes to address or marital status, (provided you have disclosed this information to your employer) but when you are a deferred or pensioner member then you need to inform HSCPS of such changes directly.

Any postal, email or phone communication you have with HSCPS, is also classed as personal information. These communications are retained in order to protect your

interests and those of the schemes. Email and any postal communications are stored electronically.

Any personal information we process will only be used for the purposes stated or if necessary to fulfil legal or regulatory requirements.

All the personal data we use is processed within the European Economic Area (EEA). Sometimes it may be necessary to transfer personal information outside the EEA. Where this is required, information may be transferred to countries or territories around the world. Any transfers made will be in full compliance with all aspects of data protection legislation.

### **International Payment Services**

You should also be aware that in order to pay pensioners who reside outside of the UK, HSC Pension Service utilises the services of a Third Party to enable pension payments to be paid in local currency. Third Party Supplier (Paymaster 1836) has access to your information. The Third party supplier also utilises an off shore company (Equiniti, based in India). However, please be advised that all data accessed by Equiniti will remain onshore on UK servers, and stringent controls are in place to protect access to data. Where an offshore staff member is approved to access the UK based systems to perform their role, this access is made available using Microsoft's Terminal Services technology which presents the data on an offshore screen. This means that only a 'desktop display' is shown to the offshore users, and no data is physically transferred to the remote location. Settings are in place within this type of session to prevent users from using the copy/paste function to move data into their own location.

More information on this arrangement can be accessed via our website [here](#)

Pensioners who reside overseas still have the option to have their pension payments paid to a UK bank account.

HSC Pension Scheme members have the option of transferring pension benefits to and from Qualifying Recognised Overseas Pension Schemes (QROPS). HSC Pension Service staff will only share with these pension providers information deemed necessary to enable the transfer to take place and only at the member's request and with the member's written consent.

### **Who the information may be shared with**

In most circumstances we will not disclose personal data without your consent.

However, we may share your data with the following to meet our legislative or public function requirements, to pursue debt, for fraud or crime prevention and detection purposes, to process benefits, or, in your vital interests:

- Other government departments and agencies

- Her Majesty's Revenue and Customs (HMRC)
- suppliers and service providers, such as HRPTS
- courts, tribunals and parties to litigation
- financial organisations, such as banks
- Police forces and emergency responders
- Departmental Solicitor's Office
- Occupational Health Service
- The Pensions Ombudsman

## How long we keep your personal information

HSCPS will keep personal information about you as long as it is necessary, and in line with the [DoH Good Management, Good Records](#) after which time it will be destroyed securely.

## Security and safe storage of your personal information

The security of your personal information is very important to us and we take this matter very seriously. We use appropriate procedures and security features and have in place a robust framework to ensure the security of your personal information.

In addition, HSCPS operates a Privacy by Design Policy, which means that a structured assessment of personal information risks is conducted at the point that any new or amended processes are considered. This ensures that data protection is built in from the outset of any changes or new initiatives.

We use technical and organisational measures such as:

- Encryption of our data and IT equipment
- Regular data protection training for our staff
- Regular testing of our technology
- Restricted access controls
- Physical security measures

## What are your rights?

Data protection legislation provides individuals with a number of rights with respect to your personal information. These are not always applicable because in some cases the lawful basis for processing overrides that right.



The table below shows which rights are applicable and which are not, and there is more information regarding each right following the table:

Personal information Rights	Applicable to HSC pension schemes
The right to be informed	Y
The right of access	Y
The right to rectification	Y
The right to erasure	N
The right to restrict processing	N
The right to data portability	N*
The right to object	N
Rights in relation to automated decision making and profiling	N

\*Note that whilst the right to data portability is not applicable under data protection legislation for the HSC pension schemes, the scheme rules and regulations allow for your pensions to be transferred to another provider, as explained below.

**a. The right to be informed**

You have a right to understand how we process your personal information and your rights relating to it. This Privacy Policy provides this information.

**b. The right of access**

You have a right to access your personal information. We routinely provide access to a summary of your information, as explained below:

- *If you are an active member (i.e. still in work and paying into the scheme) then you will receive an Annual Benefit Statement (ABS) each year. Your ABS will contain some of your personal information (e.g. name, address, date of birth, nominee details, and pension benefits).*
- *If you are a deferred member (i.e. you have a HSC pension that you have not yet claimed and are no longer contributing to) you can request a statement of your deferred benefits.*
- *If you are a pensioner member (i.e. you are receiving your HSC pension), then you will be sent a P60 after the end of each tax year. This will contain some of your personal information (e.g. name, address, NINO, pension).*

The provision of an ABS or P60 (as applicable) does not prevent you from requesting access to specific items or all of your personal information that HSC Pension Service holds.

A request for your information will be free of charge, with the exception that a reasonable [fee](#) may be charged in relation to pension benefit estimates and transfer values or duplicated information. A fee can also be charged when a request is manifestly unfounded or excessive, particularly if it is repetitive. Any fees charged will be based on the administrative cost of providing the information. Where we have identified that a charge is applicable, we will notify you in advance so that you can decide whether to continue or not.

Information will be provided within one month of receipt, however we are able to extend this by a further two months where requests are complex or numerous. If this is the case, we will inform you within one month of the receipt of the request and explain why the extension is necessary.

Where requests are manifestly unfounded or excessive, in particular because they are repetitive, we can either charge a reasonable fee or refuse to respond. Where we refuse to respond to a request, we will explain the reason why and inform you of your right to complain to the supervisory authority and to a judicial remedy within one month.

### **c. The right to rectification (correction of data)**

You have a right to have personal information rectified (corrected) if it is inaccurate or incomplete.

If you are an active employee (i.e. still in work and paying into the scheme) then your personal information can only be rectified by your employer, so you will need to contact them in the first instance. They will then pass corrected details to the HSCPS.



If you are a deferred or pensioner member then the common changes of personal details (e.g. name, address, bank details (pensioners only)) can be done via written communication.

#### **d. The right to erasure**

The right to erasure is also known as ‘the right to be forgotten’. The broad principle underpinning this right is to enable you to request the deletion or removal of personal information where there is no compelling reason for its continued processing.

In the case of pension information, there are very few circumstances where the right to erasure can be invoked as the maintenance of your pension information is required in order to pay your benefits either now or in the future.

If you consider that there is no compelling reason for the scheme to continue to hold your personal information then you should contact us. Please note that if you have benefits in the scheme either in payment or built up, then we will refuse your request as it would prevent you from receiving the benefits that you are entitled to.

#### **e. The right to restrict processing**

This right does not apply as the schemes will be required to continue processing your personal information in order for the scheme to administer your benefits and for any data rectification of personal information to be received and applied to your record. If you are concerned about the accuracy of personal information then your right to rectification can be invoked.

#### **f. The right to data portability**

This right does not apply as it is only relevant when the reason for processing is based upon your consent, which for the HSC pension schemes is not the case. However, the scheme rules allow for transfer of pension benefits to other schemes.

#### **g. The right to object**

This right does not apply due to the legitimate grounds for us to process your information, namely that we need your personal information in order to administer your pension to ensure you receive the scheme benefits that you are entitled to.

Please note that the HSCPS does not perform any direct marketing activities and we do not sell or otherwise provide your personal information to any third parties for the purposes of marketing. Your personal information is used solely for the purposes of administering your benefits under the HSC Pension Scheme.

#### **h. Rights in relation to automated decision making and profiling**

This right prevents decisions being taken based solely on automated processing, including profiling. The HSC Pension Scheme arrangements do not perform solely automated decision making.

## Personal Data Breaches

A personal data breach is defined as a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal information transmitted, stored or otherwise processed.

All organisations have a duty to report certain types of personal data breach to the relevant supervisory authority (the Information Commissioners Office) within 72 hours of becoming aware of the breach, where feasible.

If the breach is likely to result in a high risk of adversely affecting your individual rights and freedoms, we must also inform you without undue delay.

We operate robust breach detection, investigation and internal reporting procedures to facilitate decision-making about whether or not we need to notify the relevant supervisory authority and you.

We maintain a record of any personal data breaches, regardless of whether they were notified to the ICO or to you.

If you believe your Personal Data has been compromised, then please contact us using the contact details provided below.

## Further information and contact details

To make a request to access any personal information we may hold about you, you should put the request in writing and email it to:

dpa.bso@hscni.net

Alternatively, you can write to us at:

Information Governance Manager,  
Business Services Organisation,  
2, Franklin Street,  
Belfast. BT2 8DQ

If at any point you believe the information we process about you is incorrect, you can also ask to have this information rectified.

If you are not satisfied with our response or believe we are not processing your personal data in accordance with the law, you can complain to the Information Commissioner:

[casework@ico.org.uk](mailto:casework@ico.org.uk)

or

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

**You may also contact the Data Protection Officer for the BSO directly:**

- Email: [dpo.bso@hscni.net](mailto:dpo.bso@hscni.net)
- Tel: 02895 363666

### **Changes to this Privacy Notice**

We keep our privacy notice under regular review. This privacy notice was last updated in May 2018.

